

Staff Summary Report



Council Meeting Date: 06/23/04

Agenda Item Number: _____

SUBJECT: This is the second public hearing authorizing the City Manager or designee to execute certain agreements and contracts.

DOCUMENT NAME: 20040623casv01 TCC CH 2 – CITY CODE ADMINISTRATION (0503-02)
Ordinance No. 2004.26

SUPPORTING DOCS: No

COMMENTS: N/A

PREPARED BY: Ronald L. Dunham, Assistant City Attorney (350-8814)

REVIEWED BY: Will Manley, City Manager (350-8884)

LEGAL REVIEW BY: Marlene A. Pontrelli, City Attorney (350-8120)

FISCAL NOTE: N/A

RECOMMENDATION: Staff recommends that Council approve Ordinance No. 2004.26

ADDITIONAL INFO: This Ordinance was prepared to make it clear that the City Manager will be the person on behalf of the City with the authority to execute agreements and contracts under \$30,000 not covered by the City's Procurement Code.

ORDINANCE NO. 2004.26

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY
OF TEMPE, ARIZONA, AUTHORIZING THE CITY
MANAGER OR DESIGNEE TO EXECUTE CERTAIN
AGREEMENTS AND CONTRACTS.**

WHEREAS, Section 5.04 of the City Charter provides that the Council may establish by ordinance, for the proper and good government of the City, such officers or officials to execute contracts and other instruments on behalf of the City; and

WHEREAS, Section 5.04 of the City Charter also provides that the Council shall set forth the scope and limits of said official's authority to execute contracts and other instruments on behalf of the City; and

WHEREAS, pursuant to section 26A-5 of the Tempe City Code (the "Procurement Code"), Council approval is not necessary for contracts under \$30,000, and the procurement administrator is authorized to enter into such procurement contracts under \$30,000; and

WHEREAS, pursuant to section 2.03(a) of the City Charter the Mayor, after authorization from the Council at a duly noticed Council meeting, is the only person presently having the authority to execute agreements and contracts under \$30,000 on behalf of the City not covered by the Procurement Code; and

WHEREAS, the immediate execution of said agreements and contracts under \$30,000 not covered by the Procurement Code is often required for more efficient administration of the government; and

WHEREAS, the ability of the City Manager or designee to execute on behalf of the City said agreements and contracts under \$30,000 not covered by the Procurement Code would be beneficial for the proper and good government of the City;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, as follows:

That the City Manager or designee shall have authority to execute agreements and contracts not covered by the Procurement Code with a value of under \$30,000.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TEMPE,
ARIZONA, this _____ day of _____, 2004.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney